

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES CORPORATION,)	
)	
)	
Plaintiff,)	C.A. No. 16-122-LPS
)	
v.)	JURY TRIAL DEMANDED
)	
GROUPON, INC.)	
)	
Defendant.)	

**DECLARATION OF BRIAN D. MATTY
IN SUPPORT OF IBM'S RESPONSIVE CLAIM CONSTRUCTION BRIEF**

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Dated: May 5, 2017
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I, Brian D. Matty, declare that:

1. I am an attorney with the law firm of Desmarais LLP, counsel of record for Plaintiff International Business Machines Corporation (“IBM”) in the above-captioned matter, and I am admitted *pro hac vice* to this Court. I submit this declaration based on personal knowledge, and if called upon as a witness, I could competently testify to the truth of each statement herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the February 10, 2016 Petition for *Inter Partes* Review of U.S. Patent No. 5,961,601 in proceeding IPR2016-00604.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 5, 2017, in New York, NY.

/s/ *Brian D. Matty*
Brian D. Matty